

District of Oregon

Corresponds to AO 241

Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2254  
(Rev. 1/20)

FILED 19 DEC '22 11:02 USDC-ORP

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**PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF HABEAS CORPUS  
BY A PERSON IN STATE CUSTODY**

<b>United States District Court</b>		<b>District of Oregon</b>
Name (under which you were convicted): <u>Patrick L. Keeten</u>		Docket or Case No.: <u>6:22-cv-1955 AR</u>
Place of Confinement: <u>Salem Jail</u>		Prisoner (SID) No.: <u>11925589</u>
Petitioner (include the name under which you were convicted) <u>Patrick L. Keeten</u>		Respondent (authorized person having custody of petitioner) <u>Salem Jail</u>
The Attorney General of the State:		

**CONVICTION UNDER ATTACK**

1. Name and location of court that entered the judgment of conviction you are challenging:

Clackamas County

2. Criminal docket or case number (if known):

96-1114

3. (a) Date of judgment of conviction (if known):

(b) Date of sentence: 1997

4. Length of sentence:

100 months

5. Identify all crimes for which you were convicted and sentenced in this case:

Sex abuse

6. What was your plea? (Check one)

☒ Not Guilty

☐ Guilty

☐ Nolo Contendere (No Contest)

☐ Insanity Plea

If you entered a guilty plea(s), list what crimes you pleaded guilty to, and what crimes you did not plead guilty to:

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7. If you pleaded not guilty, what kind of trial did you have? (Check one)

☒ Jury

☐ Judge Only

8. Did you testify at trial?

☐ Yes

☒ No

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**EXHAUSTION OF STATE REMEDIES****DIRECT APPEAL**

9. Did you directly appeal from the judgment of conviction?

☒ Yes☐ No

- a. Name of court: Seek: See attached 1 sheet of paper.
- b. Docket or case number (if known): \_\_\_\_\_
- c. Result: \_\_\_\_\_
- d. Date of result and citation (if known): \_\_\_\_\_
- e. Grounds raised:

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10. Did you seek further review of the decision on appeal by a higher state court?

☒ Yes☐ No

- a. Name of court: State Habeas Corpus
- b. Docket or case number (if known): Seek
- c. Result: \_\_\_\_\_
- d. Date of result and citation (if known): \_\_\_\_\_
- e. Grounds raised:

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11. Did you file a petition for certiorari in the United States Supreme Court?

☐ Yes☐ No

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- a. Docket or case number (if known): \_\_\_\_\_
- b. Result: \_\_\_\_\_
- c. Date of result and citation (if known): \_\_\_\_\_
- d. Grounds raised: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

12. If you did not directly appeal from the judgment of conviction, explain briefly why you did not:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**POST-CONVICTION RELIEF**

13. Did you file a petition for state post-conviction relief?

☐ Yes☐ No

- a. Name of court: \_\_\_\_\_
- b. Docket or case number (if known): \_\_\_\_\_
- c. Nature of proceeding: \_\_\_\_\_
- d. Did you receive an evidentiary hearing?  
☐ Yes ☐ No
- e. Result: \_\_\_\_\_
- f. Date of result and citation or case number (if known): \_\_\_\_\_
- g. Grounds raised: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

14. Did you appeal the result of your state post-conviction case?

☐ Yes☐ No

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- a. Name of court: \_\_\_\_\_
- b. Docket or case number (if known): \_\_\_\_\_
- c. Result: \_\_\_\_\_
- d. Date of result and citation (if known): \_\_\_\_\_
- e. Grounds raised: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

15. Did you seek further review of the decision on appeal by a higher state court?

☐ Yes

☐ No

- a. Name of court: \_\_\_\_\_
- b. Docket or case number (if known): \_\_\_\_\_
- c. Result: \_\_\_\_\_
- d. Date of result and citation (if known): \_\_\_\_\_
- e. Grounds raised: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

16. If you did not appeal from the adverse decision in your state post-conviction case, explain briefly why you did not:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

#### **GROUND FOR RELIEF**

17. For this petition, state *concisely* every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

**CAUTION: In order to proceed in the federal court, normally you must exhaust (use up) your available state court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.**

For your information, the following is a list (a-j) of the most frequently raised grounds for relief in habeas corpus proceedings. Each statement preceded by a letter constitutes a separate ground for possible relief. You may raise grounds other than those listed.

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- a. Conviction obtained by plea of guilty that was unlawfully induced or not made voluntarily with understanding of the nature of the charge and the consequences of the plea.
- b. Conviction obtained by use of coerced confession.
- c. Conviction obtained by use of evidence gained pursuant to an unconstitutional search and seizure.
- d. Conviction obtained by use of evidence obtained pursuant to an unlawful arrest.
- e. Conviction obtained by a violation of the privilege against self-incrimination.
- f. Conviction obtained by the unconstitutional failure of the prosecution to disclose to the defendant evidence favorable to the defendant.
- g. Conviction obtained by a violation of the protection against double jeopardy.
- h. Conviction obtained by action of a grand or petit jury that was unconstitutionally selected and impaneled.
- i. Denial of effective assistance of counsel at trial or on appeal.
- j. Denial of right of appeal.

**A. Ground One:**

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**Supporting FACTS (state *briefly* without citing cases or law):**

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**B. Ground Two:**

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**Supporting FACTS (state *briefly* without citing cases or law):**

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**C. Ground Three:**

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**Supporting FACTS (state *briefly* without citing cases or law):**

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**D. Ground Four:**

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**Supporting FACTS (state *briefly* without citing cases or law):**

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**OTHER INFORMATION**

18. Please answer these additional questions about the petition you are filing:

- a. Have all grounds for relief that you have raised in this petition been presented to the highest state court having jurisdiction?

☐ Yes

☐ No

If your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them:

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- b. Is there any ground in this petition that has not been presented in some state or federal court? If so, indicate which ground or grounds have not been presented, and state your reasons for not presenting them:

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19. Do you have any petition or appeal now pending (filed and not decided yet) in any court, state or federal, for the judgment you are challenging here?

☐ Yes

☐ No

If the answer is "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised:

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20. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

- a. At preliminary hearing: did not get
- b. At arraignment and plea:
- c. At trial:
- d. At sentencing:
- e. On appeal:
- f. In any post-conviction proceeding:

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g. On appeal from any adverse ruling in a post-conviction proceeding:

\_\_\_\_\_

\_\_\_\_\_

21. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition?

☐ Yes

☐ No

a. If yes, in what court was the prior action filed? \_\_\_\_\_

b. What was the prior case number? \_\_\_\_\_

c. Was the prior action: ☐ Decided on the merits, or

☐ Dismissed on procedural grounds

d. Date of decision: \_\_\_\_\_

e. Are there any issues in this petition raised in the prior petition?

☐ Yes

☐ No

f. If the prior case was denied on the merits, has the Ninth Circuit Court of Appeals given you permission to file this successive petition?

☐ Yes\*

☐ No

\*If the answer is "Yes," you *must* attach a copy of the order received from the Ninth Circuit Court of Appeals.

22. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack?

☐ Yes

☐ No

a. If so, give the name and location of the court that imposed the sentence to be served in the future:

\_\_\_\_\_

b. Give the date and length of sentence to be served in the future:

\_\_\_\_\_

c. Have you filed, or do you contemplate filing, any petition attacking the judgment that imposed the sentence to be served in the future?

☐ Yes

☐ No



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23. **TIMELINESS OF PETITION:** If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition:

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24. Date you are mailing (or handing to correctional officer for mailing) this petition to the Court:\*

12.15.22

**WHEREFORE**, petitioner prays that the Court will grant such relief to which he or she may be entitled in this federal petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 by a person in state custody.

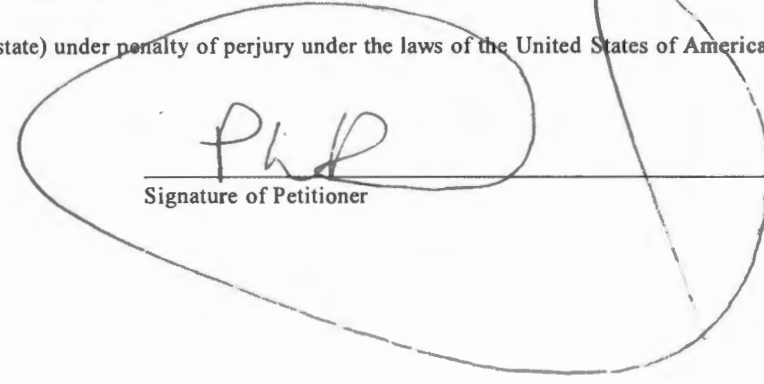
  
Signature of Attorney (if any)

**DECLARATION UNDER PENALTY OF PERJURY**

I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

12.15.22

Date

  
Signature of Petitioner

\* As noted in the instructions to this form (at #8), if you are incarcerated at Snake River Correctional Institution (SRCI) or Two Rivers Correctional Institution (TRCI), you must comply with the requirements of the E-Filing Program posted at the institution and set forth in Standing Order 2019-7 (for SRCI) or 2019-12 (for TRCI). Accordingly, you must submit your filings in this case to prison staff for scanning and electronic submission, instead of mailing the filing using the U.S. Postal Service. Please indicate the date you submitted this petition to prison staff for scanning and electronic submission.

12.15.22

I was convicted and tried in 1997; and not in 1996, which my direct appeal attorney ordered transcripts from my First trial in 1996 ending in a hung Jury. I was - then released out of Jail and retried in 1997.

Note: transcript coordinator took out my wife's testimony in 1996 transcript's submitted for my direct appeal.

Note: I was given a second <sup>direct</sup> appeal - attorney.

In short. In 1997 second trial only, one Person took witness stand in a all but 10 min trial finding me guilty in 1997. either way zero evidence or hearsay conviction under 96-1114 out of Clackamas Oregon is no good on its face.

Note: Due process of violation's also was not around when second Juries was selected in my behalf.

PLK

KEEFE COMMISSARY NETWORK  
P.O BOX 17490, St Louis, MO 63178-7490  
359 for MARION COUNTY JAIL

Name: KEETEN, PATRICK LAMAR Bal Before Order: 0.58  
ID: 11925589 DOB: Bal After Order: -2.36  
Acct #: 16128 Order #: 21956183  
CPR #: 100815192 Order Date: 11/30/2022  
Block: D4 Tier: 104 Cell: 1

Bay-Seq	Qty	UOM	Description	Alias I	Price
WMARK					
	1	KIT	LEGAL KIT (1EA)	9802	1.20
	1	EA	.6OZ TOOTHPASTE(1EA)	9821	0.20
	1	EA	1 OZ SOAP (1EA)	9823	0.10
	5	EA	LINED PAPER (5EA)	9832	0.05
	1	EA	TOOTHBRUSH (1EA)	9836	0.05
*	1	KIT	POSTCARD KIT (1EA)	9828	0.75
*	1	EA	ENVELOPE W/STAMP 1EA	9831	0.59

Total Pick Qty 11 SubTotal: 2.94  
Tax: 0.00  
Total: 2.94

I have checked and received this order with any and all credits/shortages as indicated herein.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Witnessed By: \_\_\_\_\_ Date: \_\_\_\_\_

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